

REMARKS/ARGUMENT

In the Office Action dated October 3, 2001, the Examiner rejected Claims 1-8 as being obvious over Lewis. The rejection is respectfully traversed.

Each of independent Claims 1, 4 and 6 recites that an amplifying circuit has "an element" which has "a frequency characteristic," thereby decreasing power amplification of the amplifying circuit "by at least 3 dB in a frequency band lower than about 0.5 times an oscillating frequency f_0 or higher than about $2f_0$ "

The Examiner glossed over this feature, stating merely that:

"The use of 3db type bandwidth design also being well within the level of skill, ... a 3db band as is notoriously well known in the RF art."

This ground for rejection is neither supported by the prior art, nor does it correspond to the language of Claims 1, 4 and 6. None of the art of record discloses:

- an amplifying circuit having "an element,"
- the element having "a frequency characteristic,"
- the frequency characteristic providing the claimed power amplification characteristic,
- the amplifying circuit being in an oscillator and the amplifying circuit being connected to the resonance circuit as claimed.

The Examiner refers to "3 db circuits" in a vacuum, without any connection or purported connection to the present invention, and especially the claimed frequency characteristic.

The Office Action is therefore incomplete. Pursuant to 37 C.F.R. 1.104(d)(2), the Examiner is requested to provide either a reference disclosing the claimed subject matter or a detailed affidavit linking the Examiner's personal knowledge of "3 db circuits" to the specific context in which it is claimed in Claims 1, 4 and 6.

Claim 3 is being broadened by removing an unnecessary limitation.

New claims 9, 10 and 11 are readable for example on the feedback circuit 12 and its relation to the amplifying circuit 14 in Fig. 1. See page 7, lines 4-10.

In view of the foregoing, allowance of claims 1-11 is requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, on March 4, 2002:

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Name of applicant, assignee or
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Signature

March 4, 2002

Date of Signature

Respectfully submitted,

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APPENDIX A
"CLEAN" VERSION OF EACH PARAGRAPH/SECTION/CLAIM
37 C.F.R. § 1.121(b)(ii) AND (c)(i)

CLAIMS (with indication of amended or new):

NEW 9. An oscillator according to claim 1, wherein said resonance circuit is in a feedback circuit which is connected between an output and an input of said amplifying circuit.

NEW 10. An oscillator according to claim 4, wherein said resonance circuit is in a feedback circuit which is connected between an output and an input of said amplifying circuit.

NEW 11. An oscillator according to claim 6, wherein said resonance circuit is in a feedback circuit which is connected between an output and an input of said amplifying circuit.

APPENDIX B
VERSION WITH MARKINGS TO SHOW CHANGES MADE
37 C.F.R. § 1.121(b)(iii) AND (c)(ii)

CLAIMS:

AMENDED 3. An oscillator according to claim 1, wherein said element comprises a dielectric or piezoelectric material [and has a frequency characteristic].